

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Civil File No. 04-4818 MJD/JGL

SCOTT MALCOLM and TIM MCGOUGH, as Trustees of
the Carpenters & Joiners Welfare Fund, Twin City
Carpenters Pension Master Trust Fund, Carpenters
and Joiners Apprenticeship and Journeymen Training
Trust Fund, and Twin City Carpenters Vacation Fund;
and each of their successors,

Plaintiffs,

vs.

**ORDER FOR
MONEY JUDGMENT**

WEATHERIZATION RESEARCH AND PRODUCTION, INC.,

Defendant.

This matter was originally heard before the undersigned on the 27th day of April, 2005, upon motion by the Plaintiffs for a Default Order. Amanda R. Cefalu of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered, appeared for and on behalf of the Plaintiffs. There was no appearance on behalf of the Defendant.

On April 27, 2005, the Court entered an Order for Default, and ordered Defendant to submit the fringe fund report forms for the months of October, 2004, December, 2004, January, 2005, February, 2005, and March, 2005, and to pay the fringe benefit contributions disclosed to be due. The Order further provided that when the Defendant submitted the reports, if it failed to pay the fringe benefit contributions due, Plaintiffs were entitled to file a motion for judgment, supported by an affidavit setting forth the amounts due, and judgment was to be entered ten days after service of

the motion, without an additional hearing (including past amounts due for the months of August, 2004, September, 2004, and November, 2004).

This matter is now before the Court upon motion by the Plaintiffs for a money judgment. Defendant has been provided ten days notice of this motion.

Plaintiffs have submitted a supplemental affidavit from James F. Wilson, identifying the amounts due and testifying as to the non-payment of the fringe benefit contributions. Plaintiffs also have submitted an affidavit of counsel identifying the attorney fees and costs incurred. Therefore,

IT IS HEREBY ORDERED:

1. That in accordance with all of the previous filings and this Court's Order dated April 27, 2005; Plaintiffs shall have judgment against Defendant Weatherization Research and Production, Inc. in the amount of \$73,735.71.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 14, 2005

BY THE COURT

s/ Michael J. Davis

The Honorable Michael J. Davis

United States District Court Judge

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